

COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI

Monday, February 6, 1933

The City Council of the City of Lodi met in regular session at 8 o'clock P.M. on the date first above written, Councilmen Clark, Keagle, Spooner, Weihe and Steele, Mayor, present, none absent.

The minutes of the last meeting held January 16, 1933 were read, approved as read and so endorsed by the Mayor.

Messrs Paul McClure and H. E. Hibbard addressed the Council in regard to trimming the various fan palms throughout the City. They had made a survey of all trees of this variety, finding one hundred thirty-one on the west side and one hundred thirteen on the east side of the City. They submitted a proposal to trim these trees for \$2.25 each or would make a lump-sum price of five hundred twenty-five dollars for taking care of all fan palms, this price to include removal and destruction of debris. At the direction of the Mayor, the matter was referred to the Committee on Streets and Highways for investigation and report.

This being the date set by Resolution No. 675 adopted January 16th for the reception of proposals for doing the public printing, the Clerk announced that two proposals had been received, and the same were then publicly opened and declared. The Lodi News proposed to do the work for the following prices per column inch: 36¢ first insertion, 20¢ second insertion and 9¢ for each subsequent publication; The Lodi Sentinel bid 25¢ for first publication, 22¢ for next and 20¢ for all publications after the second. Both proposals were referred to the Committee on Finance & Revenue for recommendation.

The Clerk reported that he had talked with the County Engineer regarding the oiled rock requested on January 16th by the Street Superintendent and that the County would allow the City to take up to fifteen tons from stock-pile at Woodbridge pending the opening of the French plant at Stockton. Price to be that charged the County plus Woodbridge haul.

In the matter of the drainage of South Sacramento and South School Streets: Superintendent of Public Utilities John A. Henning stated that, owing to the present low price on cement pipe and labor, a storm drain could be laid on Chestnut Street from Sacramento Street to Hutchins Street at a cost of about \$475.00 for material in place and \$275.00 for labor. He was instructed to proceed with the work. Mr Henning also reported that the street lights ordered January 16th were in place.

A notice of the Quarterly Meeting of the Community Welfare Council to be held February 7th was read.

The monthly report of the Chief of Police for January and also the report of the Poundmaster for the same month was read and ordered filed without comment.

Theodore J. Sues applied for permission to install and use for personal service, one 120 gallon gasoline tank and pump at 427 East Locust Street (rear), and it appearing from the application that the tank and its appliances would conform to the rules of the Board of Fire Underwriters, the permit was ordered granted.

The Clerk read a letter from C.R.Reid, Chairman of Tax Committee, California Utilities Association, League of California Municipalities requesting aid in preventing inroads of the Federal Government on publicly owned utilities by taxation and stating that the sum of \$25.00 should be appropriated to further this cause. The following Resolution was thereupon adopted by unanimous vote of all the Council.

RESOLUTION NO. 676

(See next page)

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WHEREAS, through the imposition of the present tax on sales of electrical energy, the Federal Government has shown a disposition to tax the properties and incomes of publicly owned utilities;

AND, WHEREAS, this City Council of the City of Lodi is creditably informed that further taxation of such publicly owned utilities is contemplated and that there is now pending in the Ninth District of the United States Circuit Court of Appeals, a case that bears directly upon this matter;

AND, WHEREAS, an opportunity is given the City of Lodi together with other municipalities owning and operating public utilities supplying their inhabitants with water, electricity &c to file a brief in amici curae and otherwise make effective protest against this invasion of municipal rights by the Federal Government;

NOW, THEREFORE, BE IT RESOLVED, that this City Council, having heretofore passed and adopted resolutions protesting against the imposition of obligations by the Federal Government upon States and State Subdivisions, and having sent authorized representatives to meetings in protest against this said Federal invasion of local rights, does hereby authorize California Utilities Association, League of California Municipalities, and particularly the Secretary of the Tax Committee of said Association, to represent the City of Lodi in filing such a brief as proposed in paragraph three hereof and to take such other immediate action in the premises as the said Association may deem advisable;

BE IT FURTHER RESOLVED, that the sum of TWENTY-FIVE DOLLARS, (\$25.00), be and the same is hereby appropriated from the General Fund of this City for the purposes herein enumerated and that a warrant in the said amount be drawn payable to "FEDERAL TAX DEFENSE FUND" and mailed to C.R.Reid, Secretary California Utilities Association c/o East Bay Municipal Utility District, No 512 - 16th Street, Oakland, California, to be expended by him in the furtherance of this City's protest against this present and proposed taxation of publicly owned utilities.

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The Committee on Parks was authorized to purchase ten gallons of "Dolge Weed Killer" for use in Lawrence Park.

A letter from Robert M. Searls, Special Attorney in the City's percolating water case, transmitting a copy of the decision of Judge Benjamin C. Jones, was received and ordered filed.

On motion of Councilman Spooner and by unanimous vote of the City Council, the thanks of the City were tendered The Lodi News and The Lodi Sentinel for the hearty support given the Council during the progress of the present water conservation suits and particularly for their publication of Judge Jones decision so that the entire Lodi district might be apprised of the scope of the City's actions.

Two building permits totalling \$150.00 were granted

W. G. Hurrle was authorized to proceed with the annual cleaning and painting at the Municipal Baths and to have the sand in the water filters changed. Mr Hurrle applied for new posts in the laundry dry yard and the matter was referred to Superintendent John A. Henning for investigation.

Bills in the amount of \$11,784.51 as passed by the Finance Committee were allowed and ordered paid on motion of Councilman Weihe, Clark second.

At 9.30 o'clock the Council was resolved into Committee of the Whole, returning to open session at 10.00 P.M., when adjournment was had on motion of Councilman Weihe.

Read and approved Feb.20-1963

Attest: *J. R. Bracey*
City Clerk

E. M. Steele
Mayor of the City of Lodi